

Part 2 -- Remarks

This Amendment and Response is responsive to the office action mailed May 21, 2004. In that office action, claims 1, 2, 10-12, 15, 42, 43, and 45 were rejected as anticipated under 35 U.S.C. 102(e) by Maruyama (6,385,389); claims 15, 42 and 45 were rejected as anticipated under 35 U.S.C. 102(b) by Orr (6,430,357); claims 1-4, 5, 7-9, 15-17, 18, 21-27, 45-46 and 48-49 were rejected as anticipated under 35 U.S.C. 102(b) by Corey et al. (5,703,655); claims 13-14, 35 and 36 were rejected as obvious under 35 U.S.C. 103 over Corey in view of Auld (6,556,193); claims 29, 30 and 50 were rejected as obvious under 35 U.S.C. 103 over Corey in view of Broadwin (5,929,850); claim 19 was rejected as obvious under 35 U.S.C. 103 over Corey in view of Wang (6,289,163); claims 6, 20 and 47 were rejected as obvious under 35 U.S.C. 103 as being unpatentable over Corey in view of Hibi (6,289,163); claim 28 was rejected as obvious under 35 U.S.C. 103 over Corey in view of Tsukagoshi (5,731,847); claims 29-30 and 32-34 were rejected as obvious under 35 U.S.C. 103 over Corey in view of Orr; claim 44 was rejected as obvious under 35 U.S.C. 103 over Maruyama in view of Broadwin; claim 31 was objected to but noted as allowable if amended into independent form; and claims 37-41 were withdrawn from consideration due to a previous restriction requirement and response thereto.

Reconsideration of the objections and rejections is respectfully requested, in regard to pending claims 1, 2, 5, 8, 10-15, 18, 19, 21, 23, 24, and 26-50.

Allowable and Amended Claims

Claim 31 has been rewritten into independent form, by including limitations of claims 15, 29 and 30. Amended claim 31 is believed to be allowable, as indicated in the May 21 office action.

The subject matter from the canceled claims has been incorporated into the pending claims in the manner set forth in Part 1.

The original independent claims 37, 39, 42 and 45 have been amended into dependent claims, and now depend on independent claim 15.

Claims 1 and 15 are the only independent claims now pending in this application which are subject to rejection.

Although original claims 37-41 have been withdrawn because of the restriction requirement, the amendments to those claims make them dependent on claims which were not withdrawn due to the restriction requirement. Accordingly amended claims 37-41 or believed to be in form for proper consideration in this application.

Anticipation Rejections

Reconsideration of the original anticipation rejections of claims 1 and 15, as those rejections might now relate to amended claims 1 and 15, is respectfully requested.

In the manner more specifically set forth in amended claims 1 and 15, the claimed invention involves searching A/V content information captured from a plurality of different simultaneously and continuously supplied sources or channels of A/V content to find the one A/V source or channel that is presenting programming or information specified by user-specified search criteria. Portions of the A/V content from each of the plurality of sources or channels are captured and searched according to the search criteria. Upon matching the search criteria with the captured portion of A/V content obtained from all of the plurality of different sources or channels, and in response to user-selected response criteria, the full A/V content from the channel selected by the match is either recorded from the selected A/V source or channel for use in a subsequent display, or the full A/V content from the selected channel is displayed substantially simultaneously with the continuous supply of the A/V content from the selected A/V source.

These features, among others, are not believed to be disclosed by the Maruyama, Corey and Orr references, thereby making the anticipation rejections inappropriate based on those references.

The Maruyama device stores content and display information about the recorded contents of a single A/V source, such as an A/V input or a TV tuner, stored on a single DVD medium, and then extracts a picture that represents the content on the recorded

medium so that information can be obtained without playing back the recorded medium or cumbersome processing of the information recording medium. Column 2, lines 35-44. Since Maruyama operates only with respect to a single source of A/V content saved to a DVD medium, there is no disclosure of scanning through a plurality of A/V channels or sources. Column 25, lines 11-48. Maruyama uses whatever A/V input the user decides to save on the DVD medium, so multiple channels or sources of A/V content are not involved, so there is no scanning of multiple sources. Moreover, Maruyama does not appear to disclose or suggest searching to find a desired source or channel of A/V content by matching a captured part of A/V content from multiple sources or channels with user-specified criteria. Maruyama does not appear to disclose or suggest responding to a match between user search criteria and a captured part of the digital A/V signal. Since Maruyama is dealing only with a single source, there is no reason for or disclosure of recording from the selected A/V source or channel for use in a subsequent display because this information is already recorded, and there is no reason for or disclosure of displaying the full A/V content from the selected channel substantially simultaneously with the continuous supply of the A/V content from the selected one of a plurality of A/V sources.

For these and other reasons, Maruyama does not anticipate amended independent claims 1 and 15. It is believed that the anticipation rejections based on Maruyama should not be continued with respect to amended claims 1 and 15.

The Orr references involves extracting time coded text data from A/V content and saving the text data so that video data corresponding to the text data can be accessed later. Column 2, lines 17-41. Since Orr deals only with a single source or channel of A/V content, there is no apparent disclosure or suggestion of scanning through a plurality of A/V channels or sources. There is no apparent disclosure or suggestion of alternatively recording from the selected A/V source or channel for use in a subsequent display because this information is already recorded, and there is no apparent disclosure or suggestion of displaying the full A/V content from the selected channel substantially simultaneously with the continuous supply of the A/V content from

the selected one of a plurality of A/V sources, in response to user-selected response criteria.

For these and other reasons, it is believed that Orr does not anticipate amended independent claims 1 and 15. It is believed that the anticipation rejections based on Orr should not be continued with respect to amended claims 1 and 15.

The Corey reference discloses a video retrieval system and method for indexing and retrieving portions of video programming data contained in a video/audio storage area. The video programming data includes audio-visual programs such as those typically broadcast for television. Column 1, lines 50-54. The closed caption data is stored and used as a searchable index to retrieve segments of stored video using closed caption text data. (Abstract) The closed caption data associated with the A/V data is used to decompose the video programming data into video segments which are indexed for retrieval. Each video segment is a single speaker or a single subject out of a larger video program. Column 1, line 60-column 2, line 4.

Corey operates with respect to a plurality of different sources or channels of A/V content and records all the sources or channels of A/V content. However, there is no searching to locate a match among multiple different sources of A/V content compared to user-specified criteria, because the channels are previously selected for recording. Similarly, there is no scanning through a plurality of A/V channels or sources to locate a selected source, because the sources are previously selected. Moreover, there is no apparent disclosure or suggestion of alternatively recording from the selected A/V source or channel for use in a subsequent display because this information is already recorded, or displaying the full A/V content from the selected channel substantially simultaneously with the continuous supply of the A/V content from the selected one of a plurality of A/V sources because this information is already recorded, in response to user-selected response criteria.

For these and other reasons, it is believed that Corey does not anticipate amended independent claims 1 and 15. It is believed that the anticipation rejections based on Corey should not be continued with respect to amended claims 1 and 15.

The pending dependent claims which were subject to the original anticipation rejections should be patentable in conjunction with amended independent claims 1 and 15, for the reasons discussed in conjunction with claims 1 and 15, and other reasons.

Obviousness Rejections

Reconsideration of the obviousness rejections of the pending dependent claims are respectfully requested, as those original obviousness rejections might apply to the amended claims. The original obviousness rejections were applied only to dependent claims, and those obviousness rejections were based on the references to Auld, Broadwin, Wang, Hibi, Tsukagoshi or Orr combined with Corey and Maruyama.

The preceding discussion concerning the anticipation rejections has indicated the failures of Corey, Maruyama and Orr to teach or suggest the subject matter of amended independent claims 1 and 15. The combination of Corey, Maruyama and Orr cannot remedy the individual deficiencies of those references under the circumstance where all three references are subject to the same deficiencies. Accordingly, combination of Corey, Maruyama and Orr, cannot render obvious the subject matter of the pending dependent claims.

The Auld reference involves converting a single source of A/V content for different types of video display systems, to achieve scaling or format conversions.

The Broadwin reference involves displaying still video images related to video content in a single interactive broadcast television system. The user or viewer can select options displayed on the television screen to view desired information.

The Wang reference discloses capturing video segments from a conventional video player having a single A/V content source or channel and storing the captured video segments in a conventional computer system.

The Hibi reference discloses a device that records an index signal at a starting point of recorded video and audio data from a single source of A/V content.

The Tsukagoshi reference discloses a device for generating and encoding subtitles for display with a picture derived from a single source of A/V content.

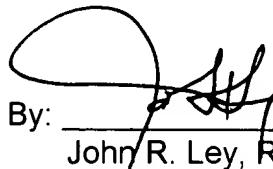
None of Auld, Broadwin, Wang, Hibi and Tsukagoshi appear to disclose searching through a captured part of A/V content to find a selected one out of a plurality of different simultaneously and continuously supplied sources of A/V content, based on user-selected search criteria, and then in response to user-selected response criteria, alternatively recording from the selected A/V source or channel for use in a subsequent display or displaying the full A/V content from the selected channel substantially simultaneously with the continuous supply of the A/V content from the selected A/V source. Accordingly, Auld, Broadwin, Wang, Hibi and Tsukagoshi are subject to the same deficiencies as are Corey, Maruyama and Orr. A combination of these references, all of which have the same common deficiencies, cannot constitute an adequate basis for an obviousness rejection of the pending claims.

Conclusion

The amendments and remarks set forth above demonstrates substantial deficiencies in disclosure and suggestion of the references applied in rejecting the claims, indicating that the amended claims are patently distinguishable from those references. Consequently, it is believed that all pending claims in this application are in condition for allowance. Allowance is respectfully requested. The Examiner is requested to contact the undersigned by telephone to discuss any issues which may inhibit the immediate allowance of the claims.

Respectfully submitted,

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